

FILED 09 MAY 04 16:46 USDC ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TERESA SUE WARNER,

Cv. 08-6001 ST

Plaintiff,

OPINION AND ORDER

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration

Defendant.

REDDEN, Judge:

In Findings and Recommendation dated March 6, 2009 (Docket no. 22), Magistrate Judge Janice M. Stewart found that the Commissioner's decision should be affirmed. The matter is now before me. *See*, 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).


When either party objects to any portion of a Magistrate Judge's Findings and Recommendation, the District Court must make a *de novo* determination of that portion of the Magistrate Judge's report. *See*, 28 U.S.C. § 636(b)(1)(C); *McDonnell Douglas Corp. v.*

Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), *cert denied*, 455 US 920 (1982). This district court is not, however, required to review the factual and legal conclusions of the magistrate judge to which the parties do not object. *Thomas v. Arn*, 474 US 140, 149 (1985); *United State v. Reyna-Tapia*, 328 F3d 1114, 1121 (9th Cir 2003).

Plaintiff filed timely objections to the Findings and Recommendation. I have, therefore, reviewed *de novo* the relevant portions of Judge Stewart's ruling. I agree with Judge Stewart's analysis and conclusions. Accordingly, I adopt Judge Stewart's Findings and Recommendations as my own opinion.

IT IS SO ORDERED.

Dated this 4th day of May, 2008.


JAMES A. REDDEN
United States District Judge